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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

ALTERNATIVES COMMUNITY  
MENTAL HEALTH CENTER, INC.,

Plaintiff,

vs.

FRONTIER INSURANCE COMPANY,

Defendant.

**MOTION TO LIFT STAY**

Case No. 3:01-cv-294-JKS

Plaintiff, Alternatives Community Mental Health Center, Inc. (“Alternatives”), hereby moves the Court for an Order lifting the stay of proceedings entered by this Court on January 8, 2002. The grounds for said motion are that the continued imposition of the stay unfairly prejudices Alternatives and no legal justification exists for the stay remaining in effect. New York and Alaska, with respect to rehabilitation, are not reciprocal states under the Uniform Insurer Liquidation Act and, accordingly, New York law does not apply. Further, the injunction entered by the New York Supreme Court is not entitled to Full Faith and Credit or comity. There is no reason for this court to abstain from hearing the case on the merits. Said motion is supported by the Memorandum of Law attached hereto along with the Affidavit of John A. Treptow.

DATED this 18<sup>th</sup> day of June, 2008, at Anchorage, Alaska.

DORSEY & WHITNEY LLP  
Attorneys for Petitioner

By: /s/ John A. Treptow

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**CERTIFICATE OF SERVICE**

This certifies that on this 18<sup>th</sup> day of June, 2008, a true and correct copy of the foregoing document was served electronically on:

Randall J. Weddle  
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s/ John A. Treptow